

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

J. IRVIN BEATLEY,)	
)	
)	
Plaintiff,)	
v.)	Civil Action No. 3:18-cv-37-MHL
)	
CHARLES E. AYERS, JR.,)	
RALPH L. COSTEN, JR., and)	
JESSE L. BARBER,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO DISMISS

Defendants, Charles E. Ayers, Jr., Ralph L. Costen, Jr., and Jesse L. Barber (collectively “Defendants”), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Virginia, hereby moves to dismiss Count II of the Complaint filed by the plaintiff, J. Irvin Beatley for the reasons set forth in the Memorandum in Support of Motion to Dismiss Pursuant to Rule 12(b)(6) filed contemporaneously herewith.

Dated: February 12, 2018

CHARLES E. AYERS, JR.,
RALPH L. COSTEN, JR., and
JESSE L. BARBER

By: /s/ Stephen M. Faraci, Sr.
Counsel

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of February, 2018, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to all counsel of record.

By: /s/ Stephen M. Faraci, Sr.

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